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Housing Committee public hearing -- March 11, 2014

Testimony of Raphael L. Podolsky

H.B. 5482 – Housing authority grievance procedures **SUPPORT**

This bill is a response to the frustrating failure to complete the process of approval of the Department of Housing's regulations on grievance procedures for residents of public housing which began with the adoption of P.A. 99-113 in 1999. P.A. 00-173 in 2000 reiterated this mandate. Three years ago, DECD (now DOH) began work on the regulations in earnest, creating a working group of housing authorities and representatives of public housing residents to develop the details. The regulations were completed in late 2012 with the agreement of all parties. Nevertheless, they have since then been rejected twice by the Regulation Review Committee, notwithstanding the extensive work of DOH in bringing all parties together, the importance of finally getting these regulations in place, and the absence of any opposition to them. They are on the March 25 agenda of the Regulation Review Committee. We very much appreciate the work that DOH has done on these regulations, and we hope that the Regulation Review Committee will finally approve them.

H.B. 5482 requires a report from DOH if the regulations have not been approved by October 1, 2014 (l. 22-27). This portion becomes moot if the regulations are approved. The bill also makes clear that the regulations apply to all housing authorities with state-assisted public housing (l. 3). This latter provision is a clarification, not a change, but it would be desirable for it to be approved, even after the regulations are adopted.

H.B. 5483 – Foreclosure Mediation Program **SUPPORT**

This bill extends the Foreclosure Mediation Program (FMP) through June 30, 2018. Unless extended, it will sunset on June 30, 2014. To the extent that this is a temporary foreclosure crisis program, that crisis is far from over. The residential foreclosure rate continues to be well above the pre-2008 rate, and large numbers of homeowners continue to need the mediation that the program provides. This bill should surely be adopted.

The better solution, however, is to make the program permanent. Even when the crisis ends, foreclosure mediation will continue to be needed for homeowners facing foreclosure, just as the permanent housing mediation program is needed by landlords and tenants in eviction cases and Family Relations Office mediation is needed in family cases. These mediation programs are essential not only for the litigants themselves but also to the court system itself. The housing specialists in the housing courts, for example, settle almost 95% of the contested cases in the court. This removes from the judges what would otherwise be an overwhelming burden on the capacity of the courts to function. So it is with the FMP. Not only is it essential for the litigants, but it is also essential for the court system. This program, like the housing and family programs, should be permanent.